

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that in classification appeals, the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the specification for Information Technology Specialist states:

Under direct supervision in a State department, agency, data center, institution, or State college, assists in at least one of the following areas: the design and preparation of least complex operation routines and computer programs for electronic data processing equipment utilizing required and current software, operating systems, and multiprogramming technology; the control and/or implementation/maintenance of highly technical operating systems associated with new generations of computers to function toward optimum utilization of available hardware/software using comprehensive knowledge of the operating system function; the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN), maintenance of centralized, decentralized and remote network services, network security, data integrity, network performance monitoring, network problems resolution, and user support; does other related duties as required.

The definition section of the job specification for Technical Support Specialist 1 states:

Under general supervision, as a lead worker in a mainframe environment, provides guidance and direct hands on support to a work shift of the Data Processing Operations unit in resolving complex production problems from verbal or written problem reports; consults with, and assists network management and systems programming staff in the diagnosis, and resolution of complex problems; monitors and allocates space on direct access storage devices; uses and guides the use of productivity aids in implementing and maintaining software, applications, and system libraries; OR, as a lead worker in a client/server environment, provides direct support to end users and/or guidance to help desk and/or desktop technical personnel in the provision of direct support; installs and guides the installation of

hardware and software on servers and/or workstations; does other related duties.

In the instant appeal, the appellant rewrites her duties somewhat by providing more details and disputes Agency Services' findings, contending that she performs these duties as a lead worker over the operations unit and programming units, internal and external customers and clients, and by serving as a subject matter expert in her unit.

The organizational chart shows that there is one other Information Technology Specialist in the unit. The remaining coworkers are in titles in higher class codes, and one is in an administrative title. The documentation does not support that the appellant is taking the lead over the other Information Technology Specialist. Taking the lead is the distinguishing characteristic in considering whether a position should be classified at the requested title. A leadership role refers to those persons whose titles are non-supervisory in nature, but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves and perform the same kind of work as that performed by the group being led. *See In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005). Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations.

It is not apparent that the appellant's position involves leadership over other Information Technology Specialists on a consistent, daily basis. Acting as a representative does not define a position as a lead worker, nor does being a subject matter expert. Being a lead worker does not mean that work is performed only by one person, but involves mentoring others in work of the title series. Providing direction to clients and individuals in other units is not a lead worker responsibility, that is, performing lead worker duties over individuals not permanently employed in the unit does not elevate the appellant's position a lead worker position. As the appellant is not a lead worker, her duties cannot support classifying the position as Technical Support Specialist 1. However, they clearly fall under the umbrella of the job definition for Information Technology Specialist.

One other issue has become apparent from this appeal: there appears to be an inappropriate reporting relationship. The rater on the ePAR for the cycle ending August 31, 2017 is the Director of Systems Support. However, appellant repeatedly refers to her coworker, a Management Information Systems Specialist, as her supervisor. Indeed, this individual wrote a letter in support of the appeal, stating that he is her supervisor and the appellant's duties align with those of the requested title. In this respect, the Management Information Systems Specialist

title is in the “P” (professional) Employee Relations Group (ERG). As such, this is not a first-level supervisory title. The appointing authority is directed to ensure that any employee in the title of Management Information Systems Specialist is currently *not assigned* supervisory duties. If the appointing authority denies an individual the responsibility of formally evaluating subordinate employees, it should refrain from assigning the appellant the typical work of a supervisor. This includes assigning work, reviewing work, providing input on evaluations, and developing training. Those duties and responsibilities belong to the appellant’s supervisor, who also supervises these staff. The Senior Executive Service position should assume these duties if the appointing authority chooses not to promote an individual to a supervisory title in the appellant’s unit.

Accordingly, the record establishes that the proper classification of the appellant’s title is Information Technology Specialist at the time of the audit.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 5th DAY OF SEPTEMBER, 2018



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